

DECISION



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**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: D-210705

DATE: February 17, 1983

MATTER OF: Vanguard Management Corporation

DIGEST:

When protest is timely filed initially with contracting agency, subsequent protest filed with GAO more than 10 working days after the protester learns of initial adverse agency action on the protest is untimely.

Vanguard Management Corporation (Vanguard) protests the General Services Administration's (GSA) award of a contract under solicitation No. RGA82520 for office space in Marietta, Georgia. The protester asserts that the space it offered is more desirable than that offered by the awardee.

This protest is untimely and will not be considered on the merits.

We received Vanguard's protest on February 3, 1983. The protest material indicates that Vanguard had previously protested to GSA and that GSA denied the protest by letter dated January 11. Our Procedures require that when a protest is initially timely filed with a contracting agency, any subsequent protest to this Office must be filed within 10 days of the protester's learning of initial adverse action on its protest by the agency. 4 C.F.R. § 21.2(a) (1982). Allowing a reasonable period of time for Vanguard to receive GSA's January 11 letter, it appears that Vanguard's February 3 protest was not filed within the 10-day period allowed and that it is therefore untimely.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel